

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.402 OF 2005
IN
APPEAL FROM ORDER NO.73 OF 2004
IN
NOTICE OF MOTION NO.5842 OF 2000
IN
S.C. SUIT NO.6941 OF 2000

Shri Aziz Abdulla Chunawalla .. Petitioner

V/s

M/s Firdos Apartments Co-operative

Housing Society Ltd. .. Respondents

Mr. M.P. Vashi for petitioner

Coram : V.M.Kanade, J.

Dated : 03/05/2005.

P.C. :-

1 Heard the learned counsels for the petitioner and the respondents.

2 This civil application has been placed before this court pursuant to the order passed by the Hon'ble Chief Justice. By an order dated 05/03/2004 appeal from order was

admitted and certain orders were passed on the said date. The petitioner/appellant was directed to file an undertaking within two weeks in this court that he shall convey suit property in favour of the respondents within a period of six months from today. This undertaking has been filed subsequently by the petitioner. An order dated 05/03/2004 was passed in view of an undertaking given by the petitioner/appellant and in view of permission which was granted to the petitioner/appellant to construct few more garages as per the plans sanctioned by the Bombay Municipal Corporation after obtaining fresh commencement certificate. Thus, no clarification is necessary. Civil application is rejected.

(V.M.Kanade, J.)